

JUDGE CASTEL

ORIGINAL

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA :

SEALED INFORMATION

- v. - :

ANGEL CURET, :

16 Cr.  
**16 CRIM 226**

Defendant. :

- - - - - X

COUNT ONE

(Conspiracy to Defraud the United States with Respect to Claims)

The United States Attorney charges:

1. From at least on or about December 1, 2013, up to and including at least on or about April 15, 2015, in the Southern District of New York and elsewhere, ANGEL CURET, the defendant, and others known and unknown, agreed, combined, and conspired to defraud the United States, and a department and agency thereof, to wit, the Internal Revenue Service, by obtaining and aiding to obtain the payment and allowance of false, fictitious, and fraudulent claims on behalf of themselves and others by submitting false claims for federal income tax refunds.

Overt Acts

2. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt acts, among

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others, were committed in the Southern District of New York and elsewhere:

a. On or about March 1, 2014, CURET used a stolen identity to prepare and submit to the Internal Revenue Service a false tax return to generate a tax refund.

b. On or about March 18, 2014, CURET used a stolen identity to prepare and submit to the Internal Revenue Service a false tax return to generate a tax refund.

(Title 18, United States Code, Section 286.)

COUNT TWO

(Theft of Government Funds)

The United States Attorney further charges:

3. From at least on or about December 1, 2013, up to and including at least on or about April 15, 2015, in the Southern District of New York and elsewhere, ANGEL CURET, the defendant, did knowingly embezzle, steal, purloin, and convert to his use and the use of another, and without authority did sell, convey, and dispose of records, vouchers, money, and things of value of the United States and a department and agency thereof, to wit, the Internal Revenue Service, which exceeded the sum of \$1,000, and did receive, conceal, and retain the same with intent to convert it to his use and gain, knowing it to have been embezzled, stolen, purloined and converted, to wit,

CURET fraudulently obtained and cashed, and aided and abetted the fraudulent obtaining and cashing of, tax refund checks.

(Title 18, United States Code, Sections 641 and 2.)

**COUNT THREE**

**(Aggravated Identity Theft)**

4. From at least on or about December 1, 2013, up to and including at least on or about April 15, 2015, in the Southern District of New York and elsewhere, ANGEL CURET, the defendant, knowingly did transfer, possess, and use, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), to wit, CURET used and aided and abetted the use of the names, dates of birth, and Individual Taxpayer Identification Numbers of other individuals in connection with the offense charged in Count Two of this Information.

(Title 18, United States Code, Sections 1028A(a)(1), 1028A(b), and 2.)

**FORFEITURE ALLEGATION**

5. As a result of committing the offense charged in Count Two of this Information, ANGEL CURET, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States

Code, Section 2461(c), any and all property, real or personal, which constitutes or is derived from proceeds traceable to the commission of the offense charged in Count Two of this Information.

SUBSTITUTE ASSET PROVISION

6. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;


c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value;  
or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property.

(Title 18, United States Code, Section 981(a)(1)(C);  
Title 21, United States Code, Section 853(p); and  
Title 28, United States Code, Section 2461(c).)

  
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PREET BHARARA  
United States Attorney

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INFORMATION

16 Cr.

(18 U.S.C. §§ 286, 641, 1028A, and 2)

PREET BHARARA  
United States Attorney.

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*Filed 3-21-2016*

*Judge Castel*